

1 Joseph J. Tabacco, Jr. (SBN 75484)
E-mail: jtabacco@bermanesq.com
2 Nicole Lavallee (SBN 165755)
E-mail: nlavallee@bermanesq.com
3 **BERMAN DeVALERIO PEASE TABACCO BURT & PUCILLO**
4 425 California Street, Suite 2100
San Francisco, California 94104
5 Telephone: 415-433-3200
Telecopier: 415-433-6382

6 | *Local Counsel*

7 Richard W. Cohen (admitted *pro hac vice*)
8 E-mail: rcohen@lowey.com
9 David C. Harrison (admitted *pro hac vice*)
10 E-mail: dharrison@lowey.com

12 || Attorneys for Lead Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

17 IN RE LUMINENT MORTGAGE CAPITAL, INC.) No. C07-4073 PJH
18 SECURITIES LITIGATION,)
19 _____) **STIPULATION AND [PROPOSED]**
20 This Document Relates To:) **ORDER REGARDING FILING OF**
21) **CONSOLIDATED COMPLAINT**
) **AND BRIEFING SCHEDULE**
22 ALL ACTIONS.)
23)

This Stipulation is entered into by and among Lead Plaintiff The Southern Improvement Company, VSA, Inc. and Allen Dayton (collectively "Southern"), and defendants Luminent Mortgage Capital, Inc. ("Luminent") and certain Luminent officers and/or directors, by and through their respective attorneys of record.

1 WHEREAS, on October 10, 2007, the Court issued an order in which it, *inter alia*,
2 consolidated the related class action cases; directed the filing of a consolidated complaint within
3 60 days after the filing of the court's order designating the Lead Plaintiff, unless otherwise agreed
4 upon by the parties; and set a tentative schedule for defendants' response to the Complaint.

5 WHEREAS, on November 21, 2007, the Court appointed Southern as the Lead Plaintiff;

6 WHEREAS, counsel for the parties have conferred regarding the schedule for filing the
7 Complaint and defendants' response thereto; and hereby stipulate, and request the court to order,
8 as follows:

9 1. Lead Plaintiff shall file and serve the consolidated complaint on or before February
10 15, 2008.

11 2. Defendants shall file and serve their response(s) within 45 days after filing and
12 service of the consolidated complaint.

13 3. Lead Plaintiff will file and serve its opposition within 45 days after filing and service
14 of the motion to dismiss.

15 4. Defendants will file and serve their reply within 21 days after filing and service of
16 the opposition.

17 IT IS SO STIPULATED.

19 Dated: January 2, 2008

20 RICHARD W. COHEN
21 DAVID C. HARRISON
22 LOWEY DANNENBERG BEMPORAD
23 SELINGER & COHEN, P.C.

24 _____
25 /s/ David C. Harrison
26 DAVID C. HARRISON

27 One North Broadway - Suite 509
28 White Plains, NY 10601-2301
29 Telephone: (914) 997-0500
30 Telecopier: (914) 997-0035

31 *Counsel for Lead Plaintiff*

1 Dated: January 2, 2008

JOSEPH J. TABACCO, JR.
NICOLE LAVALLEE
BERMAN DEVALERIO PEASE
TABACCO BURT & PUCILLO

4 /s/ Nicole Lavallee
5 NICOLE LAVALLEE

6 425 California Street - Suite 2100
7 San Francisco, CA 94104
Telephone: (415) 433-3200
Telecopier: (415) 433-6382

8 *Local Counsel*

9 Dated: January 2, 2008

10 MICHAEL L. RUGEN
11 DANIEL J. DUNNE
12 HELLER EHRLMAN LLP

13 /s/ Michael Rugen

14 MICHAEL RUGEN
15 333 Bush Street
16 San Francisco, CA 94104-2878
17 Telephone: (415) 772-6396
18 Telecopier: (415) 772-3996

19 *Counsel for Defendants*

20 I, Nicole Lavallee, am the ECF User whose ID and password are being used to file this
21 Stipulation and [Proposed] Order Regarding Filing of Consolidated Complaint and Briefing
22 Schedule. In compliance with General Order 45, X.B., I hereby attest that David C. Harrison
23 and Michael Rugen, have concurred in this filing.

24 * * *

25 PURSUANT TO STIPULATION, IT IS SO ORDERED.
26 DATED: 1/3/08

